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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,438	04/20/2004	David Gast	200316296-1	8782
22879 7590 07/03/2007 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER MARINI, MATTHEW G	
			ART UNIT 2854	PAPER NUMBER
			MAIL DATE 07/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/829,438

Applicant(s)

GAST ET AL.

Examiner

Matthew G. Marini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 10 and 20 are objected to because of the following informalities: It appears that in claims 10 and 20, line 4 the word "form" should read --from--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kusuda (DE 3219784).

As for claim 1, Kusuda teaches an apparatus in Fig. 1, comprising: a tray, 111, for holding a media stack within a cassette, 12, the media stack having opposing faces joined by sides, each face being a face of a media sheet, found within the cassette, 12; a sensor, 15, and a transport mechanism, 14, to move the tray, 111, past the sensor, 15, to scan a side of the cassette, 12, which indirectly scans the side of the media stack covered by the cassette, 12.

As for claim 2, Kusuda teaches an apparatus in Fig. 1, further comprising a housing, 11, and wherein the sensor, 15, is coupled to the housing, 11, such that the sensor, 15, is held stationary relative to the housing, 11, as indicated in Fig. 1; and the

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transport mechanism, 14, is coupled to the housing and the tray, via a gear seen in Fig. 1.

As for claim 3, Kusuda teaches an apparatus in Fig. 1, comprising: a tray, 111, for holding a media stack within a cassette, 12, the media stack having opposing faces joined by sides, each face being a face of a media sheet;; a transport mechanism, 14, operable to move the tray, 111, between a first position seen in Fig. 1 in which the media stack within the cassette, 12, can be loaded onto the tray, Fig 3, and a second position, Fig. 1, in which a sheet within the cassette, 12, loaded onto the tray, 111, can be fed into a print path, seen in housing, BO, of an imaging device, duplicator; and a sensor, 15, positioned so that it can scan a side of the cassette, 12, which indirectly scans the side of the media stack covered by the cassette, 12, as the transport mechanism, 14, moves the tray, 111, between the first and second positions, seen in Figs. 2 and 3 .

As for claim 4, Kusuda teaches an apparatus in Fig. 1, further comprising a support inherently holding the sensor, 15, stationary relative to the motion of the tray, 111, caused by the transport mechanism, 14.

As for claim 5, Kusuda teaches an apparatus in Fig. 1, wherein the tray, 111, the transport mechanism, 14, and the sensor, PC, are components of the imaging device.

As for claim 6, Kusuda teaches an apparatus in Fig. 1, comprising: a tray, 111, for holding a media stack within cassette, 12, the media stack having opposing faces joined by sides, each side being a face of a media sheet; means for moving the tray, 14, between a first position and a second position, seen in Fig. 2; and means, 15, for

scanning a side of the cassette, 12, which indirectly scans the side of the media stack covered by the cassette, 12, between the first position and the second position, seen in Fig. 2.

As for claim 7, Kusuda teaches an apparatus in Fig. 1, wherein: the media stack within the cassette, 12, can be loaded onto the tray, 111, when the tray is in the first position, as seen in Fig. 3; and a sheet, from the media stack contained in the cassette, 12, can be fed into a print path, found in the duplicator, BO, of Fig. 1, of an imaging device when the tray is in the second position, Fig 1.

As for claim 8, Kusuda teaches an apparatus in Fig. 1, wherein the means, 15, for scanning include means for scanning the side of the media stack, B2, as the tray, 111, is moved between the first position and the second position, Fig. 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-25, 28-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusuda (DE 3219784) in view of Biegelsen et al. (6,335,084).

As for claims 9-25 and 28-39 Kusuda teaches in Fig. 1 a data identification system, where the structure is capable of performing the method of claims 28-39 comprising: trays, 111, for holding a media stack found within cassettes, 12; a transport

mechanism, 14, operable to move the tray, 111, between a first position, a lower section as seen in Fig. 1, and a second position, where the picker, BO, can remove a sheet from the stack found within the cassette, 12; the media stack can be loaded onto the tray, 111, when the tray is in the first position, Fig. 3, and a sheet from the media stack can be feed into a print path, found in BO, of an duplicator device to a print engine found in the duplicator of BO, as reading the abstract, and a transfer mechanism, B1-B5, operable to transfer sheets of media found in the cassettes, 12, from the media souce, 10, to the print engine, found in the duplicator BO; Kusuda also teaches a stationary sensor, 15, capable of scanning a pattern, 16, which contains encoded information relative to the sheets where logic is inherently coupled to the sensor, 15, operable to decipher the pattern, 16, to identify the data. However, Kusuda does not teach the pattern being found on the side of the media stack. Biegelsen et al. teaches in a sheet, 12, having coded indicia, 20, in which a sensor, 24, reads the code corresponding to parameter settings, including media type, Col. 4 lines 1-19 found in sub-patterns of pattern, 20, seen in Fig. 2, further comprising a user interface and display, 32, Col. 5 lines 19-29, where the device identifies a first sheet and a second sheet not being a sheet retrieved from the original media stack, Col. 4 lines 40-52 and Col. 4 line 63 to Col. 5 line 17. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kusuda to replace the cassette, 12, with the media stack containing coded data, 20, as seen in Fig. 2 of Biegelsen et al. because it allows the sheet processing device to process the sheet of material based upon the read code, allowing for optimum printing with the best results, Col. 2 lines 15-19.

Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morita et al. (JP 05-294483A) in view of Biegelsen et al. (6,335,084).

As for claims 26 and 27, Morita et al teaches an imaging device, in Fig. 1, comprising: a print engine, near 8, operable to form an image on a sheet of media, S; a first media source, C1, operable to supply a first media stack, P1, the first media source, C1, including: a first tray, B, for holding the first media stack, P1, a first transport mechanism, 40, operable to move the first tray, between a first position and a second position; a first sensor, PC, positioned to scan the sheet stack, P1, as the first transport mechanism, M1, moves the first tray, B, between the first position, loading position, and the second position, feeding; a second media source, C2, operable to supply a second media stack, P2, the second media source, C2, including: a second tray, B, for holding the second media stack, P2, a second transport mechanism, M2, operable to move the second tray, B, between a first position, loading, and a second position, feeding; a second sensor, PC, to scan the second stack of media, P2, as the second transport mechanism, M2, moves the second tray, B, between the first position and the second positions; a transfer mechanism, 11a, operable to transfer sheets of media, S, from the first and second media sources, C1 and C2, to the print engine, located near 8. Morita et al. does not teach the first and second media stacks having a first and second pattern on the side of the first and second media stacks, where the first and second sensors, PC, scan the side of the first and second media stacks and remains silent regarding the media stacks patterns containing encoding information corresponding to first and second imaging data are found in the pattern, wherein control logic is in communication

with the first and second media sources, the print engine, and the transfer mechanism; the control logic operable to decipher the first and second patterns to identify the first and second imaging data and to control the operation of the transfer mechanism and to control the operation of the print engine so that the first imaging data is used when a media sheet is transferred from the first media source and the second imaging data is used when a media sheet is transferred from the second media source; and a user interface in communication with the control logic, wherein the control logic is operable to cause the user interface to generate a display corresponding, at least indirectly, to the first and second imaging data.

However, Biegelsen et al. teaches in a sheet, 12, having coded indicia, 20, on a side of the media stack, in which a sensor, 24, reads the code off the side of the media stack which corresponds to parameter settings, including media type, Col. 4 lines 1-19 found in sub-patterns of pattern, 20, seen in Fig. 2. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kusuda to replace the cassette, 12, with the media stack containing coded data, 20, as seen in Fig. 2 of Biegelsen et al. because it allows the sheet processing device to process the sheet of material based upon the read code, allowing for optimum printing with the best results, Col. 2 lines 15-19, allowing the control logic found in the software and sensor, 24, to communicate with the first and second media sources found in Kusuda, which moves the sources to a first and second positions, the print engine, BO, and the transfer mechanism, B1-B5; the control logic operable to decipher the first and second patterns, on the first and second media stacks containing the pattern, 20, taught by Biegelsen, to

identify the first and second imaging data and to control the operation of the transfer mechanism and to control the operation of the print engine, Col. Col 4 line53 to col. 5 line 29, so that the first imaging data is used when a media sheet is transferred from the first media source and the second imaging data is used when a media sheet is transferred from the second media source; and a user interface in communication with the control logic, wherein the control logic is operable to cause the user interface to generate a display, 32, corresponding, at least indirectly, to the first and second imaging data, Col. 5 lines 18-29.

Claims 40-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusuda (DE 3219784) in view of Biegelsen et al. (6,335,084).

As for claims 40-49, Kusuda teaches in the machine translation, page 2, paragraph 6, a CCU inherently containing a readable medium, with software, having instructions for: directing a transport mechanism, 14, operable to move the tray, 111, between a first position, a lower section as seen in Fig. 1, and a second position, where the picker, BO, can remove a sheet from the stack found within the cassette, 12; the media stack can be loaded onto the tray, 111, when the tray is in the first position, Fig. 3, and a sheet from the media stack can be feed into a print path, found in BO, of an duplicator device to a print engine found in the duplicator of BO, as reading the abstract, and a transfer mechanism, B1-B5, operable to transfer sheets of media found in the cassettes, 12, from the media source, 10, to the print engine, found in the duplicator BO; Kusuda also teaches a stationary sensor, 15, capable of scanning a pattern, 16, which contains encoded information relative to the sheets where logic is inherently

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coupled to the sensor, 15, operable to decipher the pattern, 16, to identify the data. However, Kusuda does not teach the pattern being found on the side of the media stack. Biegelsen et al. teaches in a sheet, 12, having coded indicia, 20, in which a sensor, 24, reads the code corresponding to parameter settings, including media type, Col. 4 lines 1-19 found in sub-patterns of pattern, 20, seen in Fig. 2, further comprising a user interface and display, 32, Col. 5 lines 19-29, where the device identifies a first sheet and a second sheet not being a sheet retrieved from the original media stack, Col. 4 lines 40-52 and Col. 4 line 63 to Col. 5 line 17. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Kusuda to replace the cassette, 12, with the media stack containing coded data, 20, as seen in Fig. 2 of Biegelsen et al. because it allows the sheet processing device to process the sheet of material based upon the read code, allowing for optimum printing with the best results, Col. 2 lines 15-19.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Marini whose telephone number is (571)-272-2676. The examiner can normally be reached on Monday-Friday 8:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571)-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew Marini



06/20/07



Ren Yan
Primary Examiner